

1 WILLIAM A. ISAACSON (*Pro hac vice*)  
(wisaacson@bsfllp.com)

2 STACEY K. GRIGSBY (*Pro hac vice*)  
(sgrigsby@bsfllp.com)

3 NICHOLAS WIDNELL (*Pro hac vice*)  
(nwidnell@bsfllp.com)

4 BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, NW  
Washington, DC 20005  
5 Tel: (202) 237-2727; Fax: (202) 237-6131

6 RICHARD J. POCKER, State Bar No. 3568  
(rpocker@bsfllp.com)  
7 BOIES SCHILLER FLEXNER LLP  
300 S. Fourth Street, Ste. 800, Las Vegas, NV 89101  
8 Telephone: (702) 382-7300; Fax: (702) 382-2755

9 DONALD J. CAMPBELL State Bar No. 1216  
(djcc@campbellandwilliams.com)  
10 J. COLBY WILLIAMS, State Bar No. 5549  
(jcw@campbellandwilliams.com)  
11 CAMPBELL & WILLIAMS  
700 South 7th Street  
12 Las Vegas, Nevada 89101  
13 Tel: (702) 382-5222; Fax: (702) 382-0540

14 *Attorneys for Defendant Zuffa, LLC, d/b/a*  
*Ultimate Fighting Championship and UFC*

16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
19 Vera, Luis Javier Vazquez, and Kyle Kingsbury,  
20 on behalf of themselves and all others similarly  
situated,

21 Plaintiffs,

22 v.

23 Zuffa, LLC, d/b/a Ultimate Fighting  
24 Championship and UFC,

25 Defendant.

No.: 2:15-cv-01045-RFB-BNW

**DECLARATION OF NICHOLAS A.  
WIDNELL IN SUPPORT OF ZUFFA,  
LLC'S OPPOSITION TO  
PLAINTIFFS' OBJECTIONS TO  
DEFENDANT ZUFFA, LLC'S  
PROPOSAL TO INTRODUCE  
CERTAIN PURPORTED  
"SUMMARY EXHIBITS" AT THE  
HEARING CONCERNING  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

1 I, Nicholas A. Widnell, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia. I am  
3 admitted *pro hac vice* to practice before this Court. I am a Partner in the law firm Boies Schiller  
4 Flexner LLP (“BSF”) and counsel for Zuffa, LLC (“Zuffa”) in the above-captioned action in the U.S.  
5 District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-01045-RFP-BNW.

6 2. I make this declaration in support of Defendant Zuffa, LLC’s Opposition to Plaintiffs’  
7 Objections to Defendant Zuffa, LLC’s Proposal to Introduce Certain Purported “Summary Exhibits”  
8 at the Hearing Concerning Plaintiffs’ Motion for Class Certification. Based on my personal  
9 experience, knowledge, and review of the files, records, and communications in this case, I have  
10 personal knowledge of the facts set forth in this Declaration and, if called to testify, could and would  
11 testify competently to those facts under oath.

12 3. On June 3, 2019, the Parties met and conferred via telephone. At that time, Plaintiffs  
13 again requested we reveal our strategy and plans for the hearing by telling them how we intend to  
14 use our Summary Exhibits at the hearing. I asked Plaintiffs whether they were suggesting we  
15 identify each exhibit by the witness with whom we intended to use the exhibit. I stated that if we  
16 provided that kind of information to Plaintiffs, we would expect Plaintiffs to provide the same in  
17 return.

18 4. Plaintiffs responded they only wanted this information for the materials on Zuffa’s  
19 exhibit list that were not on the “Materials Relied Upon” lists in Zuffa’s experts’ reports, including  
20 the Summary Exhibits. Plaintiffs stated they would be willing to provide the same information, but  
21 because they have no Summary Exhibits, they were thereby only agreeing to a situation wherein  
22 Zuffa, but not Plaintiffs, would provide additional information about how it intends to use exhibits.

23 5. On June 7, 2019, the Parties again met and conferred via telephone. On this call,  
24 Plaintiffs indicated they had their own Summary Exhibits they intend to use should the Court permit  
25 Zuffa to use Summary Exhibits, but Plaintiffs refused to disclose or provide any information about  
26 their Summary Exhibits they have allegedly created. Plaintiffs indicated they would not provide  
27 them until after the Court ruled on their objections to Zuffa’s Summary Exhibits. I noted that Zuffa  
28

1 would only object to their use of summary exhibits to the extent the exhibits were either inaccurate  
2 or were not provided with notice sufficiently in advance of the hearing.

3 6. Separately, on June 6, 2019, Plaintiffs provided Zuffa with a preliminary list of  
4 exhibits to which they had objections. This list had 165 documents on it.

5 7. Exhibit 1 to this Declaration is a true and correct copy of an email sent from Meghan  
6 Strong to Patrick Madden on June 7, 2019 with redboxes added for emphasis that includes earlier  
7 email correspondence between Ms. Strong and Mr. Madden regarding the parties' meet and confer  
8 efforts. In addition, Ms. Strong's mobile phone number has been redacted from the email.

9  
10 I declare under penalty of perjury under the laws of the United States of America that the  
11 foregoing facts are true and correct. Executed on this 28th day of June, 2019 in London, U.K.

12  
13 /s/ Nicholas A. Widnell  
14 Nicholas A. Widnell  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28